

[Complete list of counsel on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AUGME TECHNOLOGIES, INC.,

Plaintiff,

v.

YAHOO! INC.,

Defendant.

CASE NO. C 09-5386 JCS

**STIPULATION AND ~~PROPOSED~~
ORDER ENLARGING TIME FOR FACT
DISCOVERY**

Judge: Hon. Magistrate Joseph C. Spero

YAHOO! INC.,

Counterclaim Plaintiff,

v.

AUGME TECHNOLOGIES, INC. and
WORLD TALK RADIO, LLC,

Counterclaim Defendants.

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, the parties, through their undersigned counsel, hereby stipulate, subject to the Court's approval, as follows:

WHEREAS, on March 15, 2012, the Court adopted the parties' stipulation to extend the close of fact discovery for the Augme Patents on a limited basis to April 4, 2012 (Docket No. 243);

WHEREAS, a portion of the Court's March 15, 2012 order enlarging fact discovery (Docket No. 243) noted that:

The following depositions shall proceed according to the schedule set forth in the table below, subject to further mutual agreement by the parties.

| <u>Witness</u> | <u>Topic</u> | <u>Date</u> |
|----------------|--|----------------|
| Eaton | Augme's 2nd 30(b)(6) Deposition Notice, Topics 4-11, 14 | March 13, 2012 |
| Danchanka | 3rd party deposition Also, Augme's 2nd 30(b)(6) Deposition Notice, limited to the location and production by Yahoo! of additional Blue Lithium source code on March 2, 2012 | March 14, 2012 |
| Nelson | Augme's 2nd 30(b)(6) Deposition Notice, Topics 1-3, 13, 15-16 | March 20, 2012 |
| Chandra | Augme's 3rd 30(b)(6) Deposition Notice, Topics 1-3 | March 26, 2012 |
| Yeh | Augme's 2nd 30(b)(6) | March 27, 2012 |

| | | |
|--------------------------|--|-----|
| | Deposition Notice, Topic 12 | |
| Cofer (or other witness) | Rule 30(b)(6) testimony regarding the facts, circumstances and persons most knowledgeable about Yahoo! ad-serving statistical data and databases, including TAO and Diego. | TBD |
| Li | 3rd party witness | TBD |

WHEREAS, Ms. Cofer is unavailable from March 29, 2012, through April 4, 2012, due to being on call for jury duty (see attached Declaration of John K. Blake, Jr.);

WHEREAS, the parties have agreed to extend the close of fact discovery one day so that Ms. Cofer's deposition may take place on April 5, 2012;

WHEREAS, no other scheduled dates in this action will be changed due to this extension;

THEREFORE, based on the parties' agreement and the accompanying Declaration of John K. Blake, Jr., the parties respectfully request that the Court enter an order extending the current April 4, 2012 special discovery cutoff to April 5, 2012, for the sole purpose of completing the deposition of Ms. Cofer on the topics listed for her above.

Dated: April 2, 2012

Respectfully submitted,

By: /s/ Gregory S. Bishop

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and Counterclaim Defendant
WORLD TALK RADIO, LLC

Dated: April 2, 2012

Respectfully submitted,

By: /s/ Daniel P. Muino

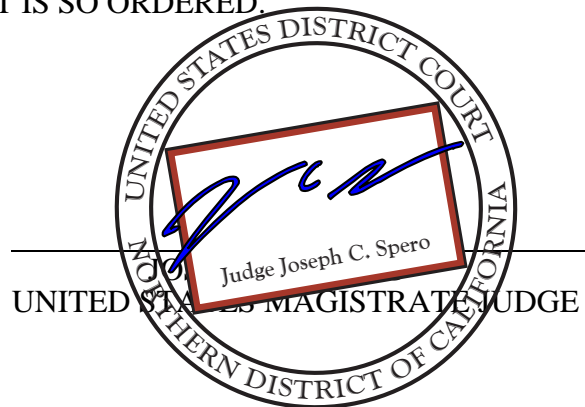
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[PROPOSED ORDER]

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: April 3, 2012



GENERAL ORDER 45 ATTESTATION

I, John K. Blake, Jr., am the ECF User whose ID and Password are being used to file this

**STIPULATION AND [PROPOSED] ORDER ENLARGING TIME FOR FACT
DISCOVERY**

In compliance with General Order 45, X.B., I hereby attest that Gregory S. Bishop and Daniel P.
Muino have concurred to its filing.

Dated: April 2, 2012

/s/ John K. Blake, Jr.

John K. Blake, Jr.